

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF APPROVAL OF A VOLUNTARY)	
SERVICE AGREEMENT BETWEEN CENTRAL VALLEY)	
ELECTRIC COOPERATIVE, INC. AND SOUTHWESTERN)	Case No. 19-00211-UT
PUBLIC SERVICE COMPANY.)	
)	
SOUTHWESTERN PUBLIC SERVICE COMPANY, AND)	
CENTRAL VALLEY ELECTRIC COOPERATIVE, INC.)	
)	
APPLICANTS.)	

NOTICE OF PROCEEDING AND HEARING

NOTICE is hereby given of the following matters pending before the New Mexico Public Regulation Commission (“NMPRC or Commission”):

On July 23, 2019, Central Valley Electric Cooperative, Inc. (“CVEC”) and Southwestern Public Service Company (“SPS”) filed a Joint Application and supporting direct testimony with the Commission requesting the Commission enter a Final Order approving the voluntary service agreement (“Boundary Agreement”) entered into by CVEC and SPS on June 20, 2019.

The Boundary Agreement defines and establishes proposed service areas for CVEC and SPS in specific portions of Eddy and Lea Counties, New Mexico, and defines the arrangements and requirements for electric service provided by each utility within its proposed service area and for service authorized in the other utility’s service area. Specifically, the Boundary Agreement:

- (a) defines and establishes proposed service areas for CVEC and SPS in portions of Eddy and Lea Counties, New Mexico;
- (b) authorizes CVEC and SPS to serve existing and expanded customer loads and new loads in the proposed service areas;

(c) identifies the location of distribution lines within each utility's proposed service area that extend into and currently serve loads in the other utility's service area;

(d) authorizes CVEC and SPS to continue to maintain and operate their existing facilities that serve existing customer loads in the other utility's proposed service area, subject to the requirements and limitations established in the Boundary Agreement; and

(e) establishes requirements to be followed by CVEC and SPS in addressing customer requests for new or expanded service (i.e., accounts/meters) from their respective facilities.

Pursuant to NMSA 1978, Section 62-9-7(B), the Commission may, after public hearing upon at least twenty days' notice, approve voluntary service agreements between utilities providing similar service proposing the delineation between themselves of one or more service areas in which each shall be entitled to furnish service, if the Commission first determines that the proposed delineation of service areas is consistent with the public convenience and necessity and otherwise conforms to the Public Utility Act.

Further information can be obtained by contacting CVEC, SPS, or the Commission at the addresses and telephone numbers provided below. The Commission has assigned Case No. 19-00211-UT to this proceeding and all inquiries or written comments concerning this matter should refer to that case number.

The present procedural schedule for this case is as follows:

(A) Any person desiring to intervene in the proceeding must file a Motion to Intervene by September 24, 2019 pursuant to 1.2.2.23 NMAC. All

motions for leave to intervene shall be served on all existing parties and prospective interveners of record.

(B) Testimony shall be filed by Staff, and may be filed by the interveners, by October 11, 2019.

(C) Any rebuttal testimony may be filed by October 21, 2019.

(D) A public hearing will be held on November 7, 2019, starting at 9:00 A.M. in the Ground Floor Hearing Room of the Commission in the P.E.R.A. Building, 1120 Paseo De Peralta, Santa Fe, New Mexico, to hear and receive testimony, exhibits, arguments and other appropriate matters relevant to this proceeding.

The procedural dates and requirements currently set in this case are subject to further order of the Commission or the Hearing Examiner. Interested persons should contact the Commission at 505-827-6956 for confirmation of the hearing date, time, and place, since hearings are occasionally rescheduled.

The Commission's Rules of Procedure found at 1.2.2 NMAC shall apply to this proceeding unless modified by order of the Commission or the Hearing Examiner. A copy of such Rules may be obtained from the offices of the Commission and are available online at the official NMAC website, <http://www.nmcpr.state.nm.us/nmac/>.

Any interested person may examine the Joint Application together with any exhibits, related papers, and pleadings that may be filed in this case at SPS's *Power for the Plains* website (<http://www.powerfortheplains.com/>), or the

Commission's website (<http://www.nmprc.state.nm.us/caselookup.html>), or the offices of CVEC, SPS and the Commission at the following addresses:

Central Valley Electric Cooperative, Inc.
1403 N. 13th Street
Artesia, NM 88211
Telephone: 575-746-3571

Southwestern Public Service Company
1601 Commerce Drive
Carlsbad, NM 88220
Telephone: Robert Chavez 575-234-2322

Southwestern Public Service Company
790 South Buchanan Street
Amarillo, TX 79101
Telephone: Mario Contreras 806-378-2115

New Mexico Public Regulation Commission/Records Management Bureau
P.E.R.A. Building
1120 Paseo de Peralta
Santa Fe, NM 87504
Telephone: 1-888-427-5772

Anyone filing pleadings, testimony, and other documents in this case may file either in person with the Commission's Records Bureau in the P.E.R.A. Building in Santa Fe, New Mexico, or by mail addressed to: Records Bureau, New Mexico Public Regulation Commission, P.E.R.A. Building, Post Office Box 1269, Santa Fe, New Mexico, 87504-1269. The Commission's physical address should be used only for special or hand deliveries: 1120 Paseo de Peralta, Santa Fe, New Mexico 87501.

Copies of all filings shall be served on all parties of record and Staff as specified in the most recent Certificate of Service issued in this case. Copies of all filings shall also be e-mailed on the date of filing to the Hearing Examiner at

Elizabeth.Hurst@state.nm.us by no later than 5:00 p.m. Mountain Prevailing Time. All documents emailed to the Hearing Examiner shall include versions in Microsoft Word or other native formats if available.

Any person filing prepared testimony under 1.2.2.35(I) NMAC on behalf of a party shall attend the hearing and submit to examination under oath. No person shall testify at the hearing unless that person has pre-filed testimony.

Interested persons may appear at the time and place of hearing and make written or oral comment without becoming an intervenor. Written comments, which shall reference Case No. 19-00211-UT, also may be sent to the Commission at the mailing address provided above. However, pursuant to Rule 1.2.2.23(F) NMAC, comments shall not be considered as evidence in this case.

Additional details regarding this proceeding and its procedural requirements are set forth in the Hearing Examiner's August 15, 2019 Procedural Order.

ANY PERSON WITH A DISABILITY REQUIRING SPECIAL ASSISTANCE IN ORDER TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE COMMISSION AT 1-888-427-5772 AT LEAST 24 HOURS PRIOR TO THE COMMENCEMENT OF THE HEARING.

ISSUED at Santa Fe, New Mexico this 15th day of August 2019.

NEW MEXICO PUBLIC REGULATION COMMISSION

**Elizabeth C. Hurst
Hearing Examiner**